

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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SCOTT LANCASTER,

Plaintiff,

v.

Case No. 16-14093

BOUCHARD, SANCHEZ, AND KIRBY,

Defendants.

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**ORDER RESOLVING MOTIONS IN LIMINE AND SETTING DATE FOR PROPOSED  
ALTERATIONS TO JURY INSTRUCTIONS AND VERDICT FORM**

Pending before the court are various motions in limine filed by both Plaintiff and Defendants. On April 3, 2019, the court held the second of two telephonic final pretrial conferences on the record during which the court addressed and ruled on these motions. The court also addressed the jury instructions and verdict form. At the request of the parties, the court will permit counsel to submit proposed alternatives to certain of the jury instructions and the verdict form.

For the reasons stated on the record,

IT IS ORDERED that Defendants' motion to preclude testimony from "potential experts" is GRANTED BY CURRURENCE. (ECF No. 84).

IT IS ORDERED that Defendants' motion to exclude evidence listed in pretrial order (ECF No. 85) is GRANTED IN PART. It is GRANTED as to the Genesee County Sheriff's Office procedures other than the use of deadly force and firearms, Dr. Shiener's records and related evidence, affidavit of Jason Gould, and testimony related

to the dismissed Fifth, Sixth, and Eighth Amendment claims. It is TAKEN UNDER ADVISEMENT on all other grounds pending development of predicate testimony at trial.

IT IS ORDERED Plaintiff's motion to exclude Plaintiff's "bad acts" (ECF No. 86) is TAKEN UNDER ADVISEMENT pending development of predicate testimony at trial.

IT IS ORDERED Plaintiff's motion to exclude evidence related to the mental health of Plaintiff's mother (ECF No. 87) is GRANTED.

IT IS ORDERED Plaintiff's motion to exclude evidence and police reports relating to Plaintiff's arrest, discovery responses, and portions of the complaint<sup>1</sup> (ECF No. 88), motion to exclude school records (ECF No. 89), motion to exclude other police contacts (ECF No. 90), and motion to strike experts (ECF No. 91) are DENIED.

IT IS FURTHER ORDERED that the parties will submit any proposed alterations to the jury instructions and verdict form to the case manager by **April 8, 2019**.

s/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: April 4, 2019

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, April 4, 2019, by electronic and/or ordinary mail.

s/Lisa Wagner  
Case Manager and Deputy Clerk  
(810) 292-6522

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<sup>1</sup> The court determines that the complaint is admissible in view of *Barnes v. Owens-Corning Fiberglas Corp.*, 201 F.3d 815, 829 (6th Cir. 2000) ("As a general matter, complaints are admissible under Rule 801(d)(2)(a) and specifically under the case law set forth in *American Title*.").